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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,870	01/11/2005	David Antoine Christian Marie Roovers	NL 020609	6500

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

SINGH, RAMNANDAN P

ART UNIT	PAPER NUMBER
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2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/520,870	Applicant(s) ROOVERS ET AL.	
	Examiner Ramnandan Singh	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>Jun. 30, 2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d) on Jan. 11, 2005 , which papers have been placed of record in the file.

2. **Preliminary Amendment**

Preliminary Amendment filed on Jan. 11, 2005 is approved.

Specification

3. Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.

The title of the specification as given is as:

"Steroid ConjugatesUse thereof".

This is incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 7-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the phrase "such as" in line 3. The phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 8 recites "and/or" in line 3. It is unclear whether this term one or both.

Regarding claim 9, the phrases "for example" and "such as" render the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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Claim 11 is rejected under 35 U.S.C. 101 because Claim 11 recites " Signals suited for use in the interference canceller" in line 1. Since the invention claim "Signals suited for use", claim 11 is directed to non-statutory subject matter [USPTO Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" ; Official Gazette dated Nov. 12, 2005; Pages 16-22].

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 3, 7, 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Janse [WO 97/45995].

Regarding claim 1, Janse teaches an interference canceller (6) shown in Fig. 1, comprising an adaptive filter (10) for modeling an interference, and a spectral processor (12) for processing the modeled interference, characterized in that the interference canceller further comprises an interference model mismatch compensator

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comprising spectral processor (12) and filter (16) coupled to the adaptive filter for providing a mismatch signal showing a speech independent decay [Fig. 1; Page 3, line 30 to Page 4, line 28].

Regarding claim 3, Janse further teaches the interference canceller characterized in that the interference model mismatch compensator is arranged for calculating an interference model mismatch estimate based on a minimum of the ratio of a spectral measure of the near end speech and actual interference , and the modeled interference of the adaptive filter [Page 8, line 16 to Page 9, line 1, Equation (9)].

Regarding claim 7, Janse further teaches the interference canceller characterized in that the spectral measure is defined by some positive function of spectral power [Eq. 9].

Regarding claim 8, Janse further teaches the interference canceller characterize in that the interference canceller is embodied as an canceller and a noise canceller [Figs. 1-3; Page 4, line 29 to Page 5, line 34].

9. Claims 1, 2, 8-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Christensson et al [US 6,510,224 B1].

Regarding claim 1, Christensson et al teach an interference canceller (301)

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shown in Fig. 3, comprising an adaptive filter (101) for modeling an interference, and a spectral processor (309) for processing the modeled interference, characterized in that the interference canceller further comprises an interference model mismatch compensator (309) coupled to the adaptive filter for providing a mismatch signal showing a speech independent decay [Fig. 3; col. 8, line 25 to col. 9, line 45].

Claims 10 and 11 are essentially similar to claim 1 and are rejected for the reasons stated above.

Regarding claim 2, Christensson et al further teach the interference canceller characterize in the interference canceller comprises a step size estimator coupled to the model mismatch compensator, wherein the step estimator is inherent in the application of the LMS algorithm [Fig. 3; col. 2, line 13 to col. 3, line 53; col.6, lines 56-60].

Regarding claim 8, Christensson et al further teach the interference canceller characterize in that the interference canceller is embodied as an canceller and a noise canceller (303) [Fig. 3; col. 8, lines 25-52].

Claim 9 is essentially similar to claim 1 except for the use of a speech recognition or a voice controlled system. Christensson et al further teach using a speech recognition system [col. 4, lines 39-45; col. 5, lines 11-15; col. 9, lines 1-3].

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Janse as applied to claim 3 above.

Regarding claim 4, Since Janes teaches using window processors with different sizes of windows for different processings [Fig. 5; Page 7, lines 6-32], it would have been obvious to a person of ordinary skill in the art, at the time the invention was made to determine the minimum over a time span (i.e. given window size) subject to system, circuit and design constraints.

Claims 5 and 6 are also rejected for the reasons stated above in claim 4.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure..

(i) Lis [US 6,950,842 B2] teaches dynamically estimating step sizes for an adaptive filter in an echo canceller [Whole document]; and

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(ii) Hirano [US 5,699,424 A] teaches using adaptive filtering for system modeling [Figs. 1-11; Abstract]; and

(iii) Janse [US 6,546,099 B2] teaches an interference echo canceller [Figs. 1-5; Abstract].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramnandan Singh
Examiner
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A handwritten signature in black ink, appearing to be 'RNS', with a long horizontal stroke extending to the right.